Development- (1938) Department.

75 SERIES

G.O. No. 1568

DATED 28-6-38

[Despatch Abstract.]

Cooperative Societies- Petition -
Giriappa Son B- Ex- Junior Inspector
of Cooperative Societies - Rejection

careful treatment I recovered and I am in a position to produce a medical certificate concerning my physical fitness for the post. I am also prepared to forego my claims for the arrears of pay for the period I was without work.

I, therefore submit this appeal that the present Government and in particular the Honourable Minister in charge of the Department will consider my case as a special one. I am a passed Intermediate in arts examination with Book-keeping qualifications and belong to one of the most backward communities, viz., the Fishermen Community of Mangalore, South Kanara, and not a single member of this Community is in Government service in South Kanara district.

I most humbly submit this appeal petition with its enclosures and I represent most pathetically that I suffered very much both physically and mentally on account of the very great injustice done to me and now that the Secretary to Government is acting towards me like 'Shylock in the Merchant of Venice demanding a pound of flesh', I pray most humbly that my case may be viewed with sympathy, mercy and kindness it deserves at the hands of the present Government and that I may be re-instated to my post which I held for 8 long years.

x/ps 3-14 with

I beg to remain,
Most Respected Sir,
Your most obedient servant,
B. Giriappa Salian.

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To

The Secretary to Government,
Development Department,
Madras.

Review appeal petition most humbly submitted by B. Giriappa Salian, Ex-Co-operative Inspector, Hoige Bazaar, Mangalore, South Kanara, dated 20-1-1936.

Most Respected Sir,

I beg to submit to your Honour this review appeal petition to your Honour's kind consideration and favourable orders.

2. After a permanent and satisfactory service of 8 years, 2 months and 15 days in the Government Co-operative Department my services were terminated on certain charges which I venture to deal in detail so that your Honour may have an idea of how seriously I have been dealt with.

3. The main charges on which my services were terminated are:-

(1) Delay in remittances.
(2)- Poor collection work of an Adi-dravida Society.
(3) Rectification of defects
(4) Liability register of a Society not been written up to date.

4. The first charge is the delay in remittance of small sums collected from the Depressed Class Co-operative Society to the Central Bank. In none of the instance the delay was long, in some it was only of one, two and three days excepting in one

solitary case relating to Rs. 1-2-0 there had occurred a delay of 6 months in tracing the voucher for the amount remitted to the Christian Central Co-operative Bank, Madras. In all these cases receipts and vouchers are correctly filed and the amounts did not exceed Rs. 15-8-0.

5. Continuous tour from the Headquarters made it difficult to make remittances to the Bank, except after returning to Headquarters and always collection work in Adi-dravida Colonies is possibly only during morning or evening hours and when I returned late in the evening, I had to go back early morning, and this caused some delay as the Banking hours were confined to hours between 11 A.M. and 4 P.M.

6. In the case of the item of Rs.1-2-0, the corresponding voucher was not forthcoming and a prolonged correspondence with the Bank took time and hence the delay and finally the voucher was filed.

7. The Deputy Registrar thereafter proposed and introduced a tabulated form in which sum collected, date of collection and date of remittance could be seen at a glance and there was no delay afterwards. I had been working for 4 months after this and there was no cause for complaint of any delay.

8. The second charge related to the poor collection work in the Hoige Adi-dravida Society. The members of this Society mostly are those that work on the Ghauts and collection work from them is only possible during the months of April and May, and collections were duly made from members who happened to be here. Registered notices were sent, suits filed and execution taken

against many of the defaulters, but they began to pay in small instalments during the monthly meetings and each time the General Body gave them more and more time thus rendering speedy execution not possible.

9. The third charge is in connection with the rectification of mistakes. This charge related to two Societies. In the first Society three defects were noticed, viz.,

(a) Amounts due by deceased member were not collected.

(b) Decrees were not executed.

(c) Panchayatdars were defaulters.

The deceased member had no legal successors against whom execution could be enforced under the law. His sureties were on the Ghauts and the General Body in their meeting resolved to wait till the sureties returned from the Ghauts.

10. In cases where collections were possible on the decrees small sums were paid and the General Body every time granted the defaulters time.

11. I took care to see that Panchayatdars were no longer defaulters and this mistake was soon rectified.

12. In the second Society 4 defects were noticed, 2 of which had already been rectified by me. The remaining 2 were (1) executions not taken and (2) allowing Panchayatdars to continue as defaulters. Executions could not be taken for the same reason as in cases where collections were possible on the decrees small sums were paid and the General Body every time granted the defaulters time, and as 3 of the defaulting Panchaytaders were on the Ghauts, quite a new set of Panchayatdars was selected shortly afterwards.

13. The fourth and the last charge is with respect of

to the failure to write up to date the Liability Register of one of the Adi-dravida Societies. This Society is a big Society having Bank loans. The major portion of the time is taken in collection work and advancing money. Cash Book, loan ledger, minute book, bonds, etc., had beer written up. The writing of Liability Register takes some time, while only 1 day is allotted for each Society's work While I was beginning to write the Liability Register the book was taken to the office by the Deputy Registrar.

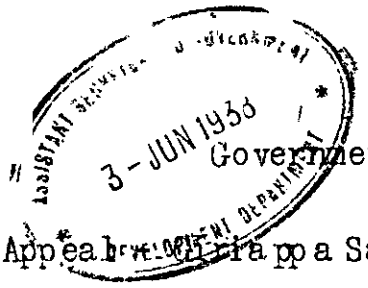
I had worked 4 months after these charges were laid most satisfactorily without giving any room for any complaint. Your Honour may be graciously pleased to recognise the fact that I belong to one of the most backward communities, a passed Intermeidiate with Book-Keeping qualifications. I most humbly implore your Honour to be magnanimous enough to cast a glance of pity and mercy on me, a young man of 35 years, and on my family and on my most backward community (fishermen of Mangalore) and be graciously pleased to reinstate me to my post.

I beg to remain,
Most Respected Sir,
Your most obedient servant,
(Sd) B. Giriappadaliar.

(True Copy).

S

Development Department.



Government of Madras.

D. 1283-36-1
28-5-36

Appeal of Giriappa Salian M.R.Ry. B. Ex-Junior Inspector of Co-operative Societies, dated 1st February 1936.

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Endorsement No. 1283 III/36-1, dated 1st April 1936.

The appeal is rejected as it has been preferred after the expiry of the period allowed for submission of appeals.

Sd/- C.A. Henderseon,
Secretary to Government.

To

M.R.Ry.B.Giriappa Salian, Ex-Junior Inspector of Co-operative Socities, Hoige Bazaar, Mangalore.

Copy to the Registrar of Co-operative Societies with the Registrar's office files returned.

Forwarded.

(BY ORDER).

Sd/-

Superintendent.

(True Copy).

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Proceedings of the Registrar of Co-operative Societies
~~Memorandum~~

B.N. Strathie Esq., I.C.S., G.No.7051/32,
dated 8th April 1933.

Giriappa Salian (M.R.Ry.B.) Junior Inspector of Co-operative Societies, Mangalore - charges against.

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Letters No.C.1946/32, dated 3-12-1932, 27-1-1933, 13-2-1933 and 20-3-1933 from the Deputy Registrar, Mangalore and

2. The connected records.

Order.

During the final audit of some of the societies in charge of M.R.Ry. B. Giriappa Salian, Special Co-operative Inspector for the year 1931-32, the auditor pointed out certain instances of delay in the remittance of collections to the Central Bank. The Deputy Registrar, Mangalore therefore framed the following charges against the Inspector, M.R.Ry.B.Giriappa Salian and obtained his written explanation.

(1) That he has been systematically utilising the funds of the societies for his own use as is evidenced by the following statement of delays in remitting the amounts taken by him from the societies.

| Name of the Society | | Amount Rs. A. P. | Date of disbursement entry in the Society's cash book. | Date of credit into Central Bank |
|---|---|---|---|---|
| Wellspetah A.D.C.S. | (1) | 15 0 0 | 8-6-1932 | 22-6-1932 |
| | (2) | 14 11 0 | 8-5-1932 | 22-5-1932 |
| | (3) | 7 9 0 | 13-4-1932 | 27-4-1932 |
| | (4) | 5 8 0 | 9-3-1932 | 16-3-1932 |
| | (5) | 4 9 0 | 8-8-1931 | 14-9-1931 |
| Souterpetah A.D.C.S. | (1) | 4-3 0 | 9-5-1932 | 25-5-1932 |
| | (2) | 6-11-6 | 5-7-1932 | 14-7-1932 |
| Kulshekar A.D.C.S. | (1) | 3 0 0 | 18-10-1931 | 20-10-1931 |
| Kavoor A.D.C.S. | (1) | 2 8 0 | 12 6 1932 | 13-6 -1932 |
| | (2) | 2 3 3 | 2-8-1931 | 10-8-1931 |

| | | | | | | |
|---|---|---|---|---|---|---|
| Padavu Pambadu A.D.C.S. | (1) | 2 | 1 | 6 | 25-6-1932 | 29-6-1932 |
| Darebail A.D.C.S. | (1) | 7 | 9 | 9 | 11-10-1931 | 13-10-1931 |
| Babugudde A.D.C.S. | (1) | 15 | 8 | 0 | 16-1-1932 | 19-1-1932. |

(2) That he has been temporarily misappropriating the funds of the Souterpetah Co-operative Society wherein it is found that he has noted as disbursements to the Central Bank amounts which were not as a matter of fact disbursed but credited after a delay of nearly six months in one case and under the following dates in two other cases asnoted below:-

| | | Amount | Date of debit in the account of the Society | Date of credit account of the Society |
|---|---|---|---|---|
| Souterpateh A.D.C.S. | (1) | 14-9-6<br>1-0-0 | 5-10-1931 | 6-10-1931 |
| Souterpetah A.D.C.S. | (2) | 1-2-0 | 11-12-1931 | 5- 6-1932 |
| | (3) | 14-12-3 | 5- 4-1932 | 6- 4-1932 |

(3) That he has been grossly negligent in the discharge of his duties in that he failed to attend to the collections in the Hoige Adi Dravida Co-operative Society for the last ten months and he has in spite of his having visited the Souterpetah Adi-dravida Co-operative Society on five different occasions failed to attend to the rectification of defects referred to in this office memo, dated 20th June 1932.

(4) That he has failed to attend to the rectification of defects referred to in this office memo, dated 31st May 1932 in the Babugudde Adi-Dravida Co-operative Society, though he visited the Society four times after the reference was made to him.

2. Charge I. Item 1:-On 8-6-1932 the Inspector collected a sum of Rs. 15/- in the Wellspetah Co-operative Society and debited the accounts as remitted to the Central Bank. In his diary for

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the fortnight ending 15-6-1932 he stated that the amount was remitted on 8-6-1932. But the amount was not remitted till 22-6-1932. The explanation for the delay is that after he had debited the amount in the account and left the village, a member applied for a loan and therefore he kept the amount with him. But he refused the loan on the 15th and he was on tour from the 16th to 22nd. According to his diary the Inspector was in Mangalore on the 16th and 21st. But the amount was not remitted on these days. The Inspector has not given the name of the member who required the loan. The explanation is obviously false.

Item 2:- On 8-5-1932 he collected Rs. 14-11-0 from the Wellspetah Co-operative Society and deibted the amount in the accounts as remitted to the Central Bank. But the amount was remitted only on 25-5-1932. The explenation is that he was on tour during the interval except on the 11th and 12th when he was at headquarters attending to the work of the Mangalore Sweepers' and Scavengers' Co-operative Societies. But his diary shows that the Inspector was at headquarters on the 13th when the only work he did was fair-copying the reports of Wellspetah and Hoige Co-operative Societies. On the 21st he was at headquarters and attended the Office of the Deputy Registrar of Co-operative Societies to receive tapals. The Central Bank is so close to the Deputy Registrar's Office that he could have remitted the amount at least on that day. On the 24th also he was at headquarters, but he pretends he must have returned from camp late that day. The amount was remitted only on the 25th. The explanation for the delay is not convincing.

Item 3:-On 13-4-1932 he took a sum of Rs. 7-0-0 from the Wellspetah Co-operative Society and showed the sum as remitted to the Central Bank. In his diary for the first fortnight of April 1932 he mentioned that the amount was "deposited in the Bank". The amount was actually remitted on 27-4-1932. The Inspector's explanation for the delay in remittance is that he was on tour. According to his diary he attended the Deputy Registrar's office on the 16th and received tapals in the afternoon. On the 17th he visited Siddakatti, got some records and submitted to the Deputy Registrar's office. But he says he came to the headquarters late in the evening on these days. The amount was remitted only on the 27th. His diary for the first fortnight of April was written on 20-4-1932, when he knew that he had not remitted the money till then. But he deliberately mentioned in his diary that the amount was 'deposited in the Bank' on 13-4-1932. When he was asked to state why he made a false report in his diaries, the Inspector explains that the word 'remitted' meant that the amountsx were 'taken for remittance'. The explanation is ingenious but unconvincing. It is quite clear that the Inspector was utilising the money for his own use and was unable to remit it at the time of writing his diary.

Item 4:-On 9-3-1932, the Inspector collected Rs. 5-8-0 from the Wellspetah Co-operative Society and noted in the accounts of the Society and in his diary that the amount was remitted that day, while it was not actually remitted till 16-3-1932. His diary shows that the Inspector was at headquarters on the 11th and 12th inspecting the Mangalore Sweepers' and Scavengers' Societies

and that certain amounts of these societies had been deposited in the Central Bank. It is not clear whether the Societies themselves deposited the amounts or the Inspector. If the amounts were deposited by the Inspector there was no edcuse for him for not having remitted the money collected in the Wellspetah Co-operative Society on that day. In any case his diary for the first fortnight of March 1932 was written on 16-3-1932 on which date the amount was remitted, but he made a false report on - 16-3-1932 that the amount was remitted on 9-3-1932.

Item 5:- On 9-5-1932 he collected Rs. 4-3-0 from the Souterpetah Co-operative Society and remitted it only on 25-5-1932. When he submitted his diary on 16-5-1932, the he mentioned in it that he had remitted to the Bank Rs.4/-. His explanation is that he was on tour in the interval, except on the 11th and 12th. His diary shows that he was at headquarters on the 13th also and the only work attended to that day was fair-copying of inspection notes. He could have remitted the amount on that day if he had not made use of the money. He not only failed to remit the amount but made a false report on 16-5-1932 in his diary that Rs. 4/- had been remitted to the Bank on 9-5-1932. The amount taken by him and debited in the account was Rs. 4-3-0. But he noted in his diary as having remitted Rs. 4-0-0. It is clear that he made use of the money collected and did not know when he wrote the diary on 16-5-1932, how-much-money he had taken away to be remitted to the Bank.

Item 6:-On 5-7-1932 he collected Rs. 6-11-6 from the Souterpetah Co-operative Society, but did not remit the amount till 14-7-1932, though he stated in his diary that it was remitted on 5-7-1932. He explains that he was not

at Headquarters from the 5th to 13th except on the 10th which was Sunday. But his diary shows that he visited Hoige Society which is two miles from his headquarters on the 6th morning and attended to fair-copy work in the afternoon. He could certainly have remitted the amount on that day. His explanation for the delay therefore cannot be accepted. In his diary written on 15-7-1932 he stated that the amount was remitted on 5-7-1932 though he knew that he remitted the amount the previous day. If the Inspector was really prevented from remitting the moneys on account of his being on tour, he could well have explained the circumstances in his diary. But he made deliberately false statements in the diary that the amounts were remitted to the Bank on the days they were collected, knowing full well that they had not been remitted. There was no need to make a false report, unless it be that the Inspector having utlised the moneys wanted to make it appear that every pie collected was being promptly remitted to the Bank. The only possible conclusion, in the circumstances, is that the Inspector was utilising the moneys for his own use. The charge in respect of the above items must be held to be fully proved. In regard to the other items in the charge the delays were either not serious or some of the items were collected by a previous Inspector.

Charge II - Item 1:-As regards the second charge the delay in crediting the amount of Rs. 1-2-0 is from 11-12-1931 till 5-6-1932. The Inspector's explanation is that the sum was remitted to the Central Bank and that it was wrongly credited to the Wellspetah Co-operative Society. He adds that as no voucher was forthcoming from the Christian Central Bank, he credited the amount on 5-6-1932. The Inspector has not produced any correspondence to show that the amount was previously remitted to the Bank. The explanation

offered is not satisfactory.

Item 2:-On 5-4-1932 a sum of Rs. 14-12-3 was debited in the accounts of the Souterpetah Co-operative Society as remitted to the Central Bank, but credited on 6-4-1932. Judged by the dates the delay may not appear serious. But in his diary for the first fortnight of April 1932 written on 20-4-1932 the Inspector noted that he collected a sum of Rs. 14-4-0 and that with the cash balance of Rs. 5-12-3 he advanced a loan of Rs. 20/-. The explanation of the Inspector is that he proposed to grant a loan and that therefore he credited the amount in the accounts on 6-4-1932. This is not true, as his diary shows that he visited Hoige Co-operative Society on 6-4-1932. The credit must have been made sometime before the Auditor's visit and not on 6-4-1932. There is no doubt that he misappropriated the amount and made it good, when the auditor was about to visit the Society.

Charges III and IV:-Charges 3 and 4 relate to the neglect of work by the Inspector. His explanation for the third charge is that he collected Rs. 16/- under principal and Rs. 10-13-0 under interest against Rs. 451-8-0 under principal and Rs. 467-8-0 under interest overdue from members on 30-6-1932. The collection made by him is very poor. The explanation is not satisfactory.

On 20-6-1932 the Inspector was directed by the Deputy Registrar to attend to the following defects in the Souterpetah Co-operative Society, viz.,

1. That the amounts due by the deceased members were not collected.

(ii) That the decrees were not executed

(iii) that panchayatdars were defaulters. The Inspector

rectified only the third defect.

Charge IV:-With regard to the fourth charge, the Inspector explains that he rectified two defects in the Babugudde Co-operative Society by securing loans - Nos. 13 and 44. But he did not attend to the rectification of the other two defects namely that the executions had not been taken and that panchaytadars were defaulters. He has no satisfactory explanation to offer for this.

In the course of the enquiry the Deputy Registrar framed an additional charge against the Inspector, viz., that he had stated in his inspection notes dated 18-10-1932, and 4-11-1932 of the Wellspetah Co-operative Society that the liability register had been written up to date, while, in fact, it was not written up for the last two years. The Inspector's explanation is that he mistook Wellspetah Co-operative Society for Souterpetah Co-operative Society whose liability register was written by him and he regrets the mistake. The explanation is not convincing.

It is clear from the charges examined above that the Inspector not only utilised the collections made by him in the societies but made false reports in his diaries that the amounts were remitted to the Central Bank on the same day they were collected. It is also clear that he was neglecting his work and making false reports that he was attending to the rectification work. His diaries show that he was visiting the societies and doing no substantial work. Warnings, blackmarks and disallowance of Travelling Allowance have had no effect on him. He is unfit to continue in this Department.

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M.R.Ry. B. Giriappa Salian is therefore removed from service.

Sd/- D.M. Strathie.
8-4-1933,
Registrar.
(By Order).

(True Copy).

K.K/10-4.

To

The individual through the Deputy Registrar, Mangalore
Copy to the Deputy Registrar, Mangalore.

15/

Da. Desk.

C. No 24324/38 Petition. Sri B. Guiappa. ex. Junior Inspector of Co-operative Societies. dated

Orders of H.M. Industries & Labour on the petition.

"Please examine and put up"

V.V.G.
28.5.38.

To U.S

Please see the petition from Sri B. Guiappa, ex. Junior Inspector of Co-operative Societies, with enclosures in the C.F.

2. The petitioner was removed from Service in the year 1933 vide. Registrar's proceedings No. G. 7051/32 dated 8.4.33 at pages 12-19 of Endt. No. 1283 III/36. dated 1.4.36. He preferred an appeal to Government in the year 1936 against the orders of the Registrar. The appeal was rejected as time-barred. Then the ex-junior inspector submitted another petition on 5th May 1936 and it was also rejected by Govt. as it contained no new, Endt. 2099 III/36, d. 20.5.36.

(F) p 25 of Endt. dated (F) × pp 1-2 of (M) p 4 of (M) pp 1-2 of

3. The present petition has been submitted for a re-consideration of the orders already passed. The Registrar of Co-operative Societies had already obtained the explanation of the petitioner for the delay in preferring the appeal to Govt. and stated that there

(F) × pp 1-2 of

16 2

were no mitigating circumstances in preferring the appeal
~~Reasons for the delay & Got the reasons were~~
after a long delay. and the
~~Not satisfactory and the~~ appeal was rejected [illegible] p. 25 J Endl
by Govt on the ground that it was time-barred. 1283 11/7/36 (F)
1.4.36
11/6/38.
It is for orders whether the matter
will be reconsidered or the review petition will
be rejected The petitioner has no right of a review appeal.
He has exhausted his right of appeal. He can only memorialise H.E. the
10638 Viceroy but it is too late now. Talk
11/6
S
24

There appear to be no sufficient
grounds for reopening the case.

CLB
14.6.38

M.(12c).

24/6/38

Recorded

Filed 24/6

To S

A draft order is submitted for
approval.

Ans
25/6/38.
25/6

17/

31/2936

# DRAFT FOR APPROVAL.

G.F.16.

Dev. Deptt.

| | Date. | Initials. |
|---|---|---|
| When received for fair copying .. | | |
| When copied .. | | |
| When examined.. | | |
| When signed .. | | |
| When despatched. | | |

SUBJECT:— Co-operative Societies.

Petition - Giriappa. Sri B. Ex. Junior inspector of Co-operative Societies. Rejected.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*:—

C. No. 2432 V/38 From the Sri B. Giriappa No. nil, dated 21.5. 1938 Ex. Junior Inspector of C.S. //p 1.2 cF

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

Order ~~Resolution~~ Ms. ~~Read.~~ No. 1568, dated 28. 6. 1938.

The Government see no grounds to reconsider the orders passed in Endt. No. 1283 III/36-1, dated 1.4.1936. The petition is rejected.

[25.7 Endt at (F)]

25/6/38.

To Sri B. Giriappa
Ex. Junior inspector of C.S.
Hoige Bazaar,
Mangalore. S. Kanara

Copy to the Regr. of C.S. (ado).
(Hl. 2 cf)

Personal clerk.
H.H. (Gl.) (ado)
(Hl. 2 cf)

Accts

19.6.38